

REMARKS

Upon entry of the present Amendment, no claims will be amended. Claims 2-5, 7, 8 and 11-25 will remain pending in the application. For the reasons set forth below, Applicant believes that the rejections should be withdrawn and that claims 2-5, 7, 8 and 11-25 are in condition for allowance in view of the following remarks.

Interview of April 20, 2010

Applicant would like to thank the Examiner and the Examiner's supervisor for the courteous interview with Applicant's representative held on April 20, 2010. During the interview, Applicant's representative explained the operation of the present invention with reference to claim 16. Applicant's representative noted that claim 16 recites "creating a script based on the request," and using the script in "combining" various segments "to create the video program." Applicant's representative distinguished the operation of the present invention from Zereski, Jr. et al. by noting that the reference does not teach or suggest creating a script, and therefore, does not create a video program in response to request. Rather, Zereski, Jr. et al. creates presentations in advance, and stores them in a presentation database for access by users. The Examiner's supervisor indicated that he appreciated the distinction, but needed to further consider Zereski, Jr. et al.

Rejections under 35 U.S.C. § 103(a)

I. Claims 3, 5, 7-8, 11, 16-21 and 23-24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Zereski, Jr. et al. (U.S. Patent No. 5,654,886) in view of Johnson et al. (U.S. Patent No. 6,961,061). Regarding claim 16, the Examiner asserted Zereski, Jr. et al. discloses a method for creating a video program substantially as recited in claim 16, but admitted that Zereski, Jr. et al. fail to specifically disclose receiving a recently recorded live video featuring a speaker. Regarding this deficiency, the Examiner asserted that Johnson et al. discloses receiving a recently recorded live video featuring a speaker (see col. 1, lines 25-36), and that it would have been obvious to modify Zereski, Jr. et al.'s invention with the above mentioned limitation as taught by Johnson et al. Applicant respectfully traverses.

Applicant respectfully submits that Zereski, Jr. et al. fail to teach or suggest at least the

feature of "in response to receiving the request, creating a script based on the request and the selected condition that defines the types of information to be include in the video program, and based on the script," as recited in amended claim 16. The amendment to claim 16 is fully supported on page 19, line 19 – page 21, line 2.

In particular, Zereski Jr. et al. teach that text and images are transmitted to the presentation generator at specified intervals. Zereski Jr. et al. teach that the presentation generator operates by the use of presentation templates, which are used as a description of a particular multimedia presentation that may be made available by the system. Zereski Jr. et al. provide examples of presentations in FIGS. 5-10, which are created by the presentation generator taking the required information obtained from the various sources and filling-in each template. The completed template is then rendered into a presentation, which may be available on Internet and other on-line services. See, Zereski Jr. et al. at col. 4, lines 44-67. However, the templates of Zereski Jr. et al. are not filled "in response to receiving the request," which as recited in claim 16, creates a script that defines information to be included in the video program.

Johnson et al. fail to remedy the deficiencies of Zereski Jr. et al., as Johnson et al. fail to teach or suggest "a script" that is created based on a request to and the selected condition that defines the types of information to be included in the video program. Thus, any proper combination of Zereski Jr. et al. and Johnson et al. would fail to teach or suggest the subject matter of claim 16, as amended. Accordingly, Applicant respectfully submits that claim 16 is allowable over the prior art of record.

Claims 3, 5 and 17-18 depend from claim 16, which Applicant believes to be allowable over the prior art of record. In addition, claims 3, 5 and 17-18 recite additional features in combination with allowable claim 16, thus providing additional bases for the allowability thereof.

Accordingly, the Examiner is respectfully requested to withdraw the rejection of claim 16 and the claims that depend therefrom (claims 3, 5 and 17-18).

Amended claim 19, recites "creating the requested video program by creating a script based on the request and the condition that defines the types of information to be include, and based on the script:"selecting a recently recorded live video segment and a recently recorded audio segment associated with the recently recorded live video segment that is relevant to the request, wherein the recently recorded live video segment and the recently recorded audio

segment both feature a selected speaker.” This limitation is similar the amendment to claim 16. As such, substantially the same arguments noted above also apply to claim 19. As such, Zereski, Jr. et al. also fail to teach or suggest the subject matter of claim 19. Accordingly, Applicant respectfully submits that claim 19 is allowable over the prior art of record.

Claims 7, 8 and 20-24 depend from claim 19, which Applicant believes to be allowable over the prior art of record. In addition, claims 7, 8 and 20-24 recite additional features in combination with allowable claim 19, thus providing additional bases for the allowability thereof.

Accordingly, the Examiner is respectfully requested to withdraw the rejection of claim 19 and the claims that depend therefrom (claims 7, 8 and 20-24).

In view of the above differences, the Examiner is requested to reconsider and withdraw the rejection under 35 U.S.C. § 103(a).

II. Claims 2, 4, 12-15 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Zereski, Jr. et al. in view of Johnson et al. and Inoue et al. (U.S. Publication No. 2002/0016963). Regarding claim 12, the Examiner asserted that Zereski, Jr. et al. teaches the claim substantially as recited, however the Examiner admitted that Zereski, Jr. et al. fails to teach “a plurality of decoders supporting a plurality of encoding schemes, wherein a first decoder receives a first video input and decodes the first video input; and a plurality of encoders for receiving the video program and encoding the video program.” The Examiner asserted that Inoue et al. teach this recited element, and that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Zereski, Jr. et al.'s invention with the teaching of Inoue et al. Applicant respectfully traverses and submits that no proper combination of Zereski, Jr. et al., Johnson et al. and Inoue et al. would render obvious the present invention as recited in amended claim 12.

In particular, amended claim 12 recites “a video server that executes a script created in response to receiving a request, the script defining sequencing of audio and video segments associated with the request.” As noted above with regard to the rejection of claim 16, Zereski, Jr. et al. and Johnson et al. fail to teach or suggest this limitation as there is no teaching or suggestion of “a script ... defining sequencing of audio and video segments associated with the

request"

Inoue et al. fails to remedy the deficiencies of Zereski, Jr. et al., as Inoue et al. also fail to teach the above limitations of claim 12. Thus, any proper combination of Zereski, Jr. et al., Johnson et al. and Inoue et al. fails to teach each and every element of claim 12.

With regard to claims 2, 4, 13-15 and 25, Applicant believes these claims are allowable over the prior art of records, as each depends from what is believed to be an allowable claim, and add other features and limitations in combination with their respect base claim(s).

In view of the above, the Examiner is respectfully requested to reconsider and withdraw the rejection under 35 U.S.C. § 103(a).

CONCLUSION

Applicant believes that the application should now be in condition for allowance, and the Applicant solicits a notice to that effect. If there are any issues that can be resolved via a telephone conference, the Examiner is asked to contact the undersigned at (770) 475-9129.

Respectfully submitted,

Date: April 21, 2010

/Lawrence A. Aaronson/
Lawrence Aaronson
Reg. No. 38,369

Lawrence A. Aaronson, P.C.
12850 Highway 9
Suite 600 - PMB 338
Alpharetta, GA 30004
Telephone: (770) 475-9129
Facsimile: (770) 809-5028